



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee : Dennis M. Smid et al.

Application to  
Reissue Patent No. : 6,012,255

Issued : January 11, 2000

For : **CONSTRUCTION BOARD HAVING A  
NUMBER OF MARKS FOR FACILITATING  
THE INSTALLATION THEREOF AND A  
METHOD FOR FABRICATING SUCH  
CONSTRUCTION BOARD**

DECLARATION OF DENNIS M. SMID AND RICHARD PALMESINO

As a below-named inventor, I hereby declare that;

1. My residence, post office address and citizenship are as stated below next to my name.
2. I verily believe myself to be an original, first and joint inventor of the invention described and claimed in Letters Patent No. 6,012,255 and in the specification filled herewith for which I solicit a patent.
3. I hereby state that I have reviewed and understand the contents of the aforementioned specification, including the claims.
4. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(1a).
5. I do not know and do not believe that the invention was ever known or used in

the United States of America before my invention thereof.

6. I verily believe the original Letters Patent to be wholly or partly inoperative or invalid by reason of my claiming more or less than I had a right to claim in the patent at least in that I did not claim "A thin frame covering panel adapted to be attached to a number of supports, said panel having at least two sides in which at least one of said sides includes a number of marks for facilitating the attaching of said panel to said number of supports, wherein said number of marks are arranged in substantially parallel lines having a distance which has any value up to 2 inches therebetween and in which said lines are placed from one end of said panel to an opposite end thereof in a direction transverse to the extent of said lines, wherein the substantially parallel lines pertaining to said number of marks are the only lines on said panel in the same direction as said parallel lines."

7. I did not discover that the claims of the original patent claimed more or less than I had a right to claim until after the original patent was issued.

8. No claims were previously presented during prosecution of the above referenced issued patent that particularly claimed the panel described in paragraph 6.

9. Every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on my part.

10. Claims 2-8, 10-14, 18-21, and new claims 23-28 submitted with this application and as amended particularly point out subject matter which I considered my invention and round out the scope of protection to which I am entitled. By the omission of such claims the original patent claims more or less than I had a right to claim.


I hereby appoint Dennis M. Smid, Registration No. 34,930, of Lerner, David, Littenberg Krumholz & Mentlik LLP or their duly appointed associate(s), my attorneys, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to file continuation and divisional applications thereof, to receive the Patent, and to transact all business in the U. S. Patent and Trademark Office and in the Courts in connection therewith, and specify that all communications about the application are to be directed to the following address:

Dennis M. Smid, Esq.  
c/o Lerner David Littenberg Krumholz &  
Mentlik LLP  
600 South Avenue West  
Westfield, NJ 07090

Direct all telephone calls to: (908) 654-5000 to the attention of Dennis M. Smid, Esq.

Wherefore I pray that I may be allowed to surrender the Letters Patent No. 6,012,255 granted January 1, 2000, whereof I am an owner, and that Letters Patent may be reissued to me for the same invention upon the attached specification.

I, the undersigned applicant, further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

  
DENNIS M. SMID

8/14/07  
Date

Residence: Taylortown Road, Montville, NJ

Citizenship: United States

  
RICHARD PALMESINO

8-14-07  
Date

Residence: Dowling Parkway, West Paterson, NJ

Citizenship: United States